

FILED  
IN CLERKS OFFICEUNITED STATES DISTRICT COURT  
for the

2020 DEC 28 AM 8:54

District of Massachusetts

U.S. DISTRICT COURT  
DISTRICT OF MASS.

MOHAN A. HARIHAR

Case No. TBD

(to be filled in by the Clerk's Office)

*Plaintiff(s)**(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

-v-

JEANNE D'ARC CREDIT UNION, et al

Jury Trial: (check one)  Yes  No*Defendant(s)**(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)***COMPLAINT FOR A CIVIL CASE****I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

|                    |                      |
|--------------------|----------------------|
| Name               | MOHAN A. HARIHAR     |
| Street Address     | 7124 AVALON DRIVE    |
| City and County    | ACTON, MIDDLESEX     |
| State and Zip Code | MA 01720             |
| Telephone Number   | 617.921.2526         |
| E-mail Address     | mo.harihar@gmail.com |

**B. The Defendant(s)**Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

## Defendant No. 1

|                                    |                                  |
|------------------------------------|----------------------------------|
| Name                               | <u>JEANNE D'ARC CREDIT UNION</u> |
| Job or Title ( <i>if known</i> )   |                                  |
| Street Address                     | <u>581 MERRIMACK STREET</u>      |
| City and County                    | <u>LOWELL, MIDDLESEX</u>         |
| State and Zip Code                 | <u>MA 01854</u>                  |
| Telephone Number                   | <u>978.452.5001</u>              |
| E-mail Address ( <i>if known</i> ) |                                  |

## Defendant No. 2

|                                    |  |
|------------------------------------|--|
| Name                               | <u>SANDRA BOULAY, ESQ./BOULAY LAW FIRM LLC</u> |
| Job or Title ( <i>if known</i> )   | <u>ATTORNEY/LAW FIRM</u>                       |
| Street Address                     | <u>9 CENTRAL STREET, SUITE #402</u>            |
| City and County                    | <u>LOWELL, MIDDLESEX</u>                       |
| State and Zip Code                 | <u>MA 01852</u>                                |
| Telephone Number                   | <u>978.452.4100</u>                            |
| E-mail Address ( <i>if known</i> ) | <u>sandra@boulaylaw.com</u>                    |

## Defendant No. 3

|                                    |  |
|------------------------------------|--|
| Name                               |  |
| Job or Title ( <i>if known</i> )   |  |
| Street Address                     |  |
| City and County                    |  |
| State and Zip Code                 |  |
| Telephone Number                   |  |
| E-mail Address ( <i>if known</i> ) |  |

## Defendant No. 4

|                                    |  |
|------------------------------------|--|
| Name                               |  |
| Job or Title ( <i>if known</i> )   |  |
| Street Address                     |  |
| City and County                    |  |
| State and Zip Code                 |  |
| Telephone Number                   |  |
| E-mail Address ( <i>if known</i> ) |  |

## II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

Federal question  Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

### A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

(1) 15 USC § 1692 - Fair Debt Collection Practices; (2) Breach of Contract for Counterclaims filed w/ Liability/Casualty Insurance Policies (Errors and Omissions); (3) False Advertisement; (4) Libel/Defamation and the intention to cause Emotional Distress under 28 U.S. Code § 4101; (5) Bad Faith; (6) Unlawful Conversion; (7) Civil RICO under 18 U.S.C. § 1964 ; (8) Fed. R. Civ. P. 60(b)(3) - Fraud on the Court. (Plaintiff reserves the right to add and/or amend claims, if necessary, once legal counsel has been retained or assigned with the Court's assistance under 28 U.S.C. §1915).

### B. If the Basis for Jurisdiction Is Diversity of Citizenship

#### 1. The Plaintiff(s)

##### a. If the plaintiff is an individual

The plaintiff, (name) MOHAN A. HARIHAR , is a citizen of the  
State of (name) MASSACHUSETTS .

##### b. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_ , is incorporated  
under the laws of the State of (name) \_\_\_\_\_ ,  
and has its principal place of business in the State of (name) \_\_\_\_\_ .

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

#### 2. The Defendant(s)

##### a. If the defendant is an individual

The defendant, (name) SANDRA BOULAY , is a citizen of  
the State of (name) MASSACHUSETTS . Or is a citizen of  
(foreign nation) \_\_\_\_\_ .

## b. If the defendant is a corporation

The defendant, (name) JEANNE D'ARC CREDIT UNION, is incorporated under the laws of the State of (name) MASSACHUSETTS, and has its principal place of business in the State of (name) MASSACHUSETTS.  
 Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

## 3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

The Defendants' evidenced acts of deceptive conduct and unfair debt collection practices (for a period of 10 years) has unnecessarily added to, and/or caused serious financial hardships and emotional distress to the Plaintiff. This has been compounded (whether directly or indirectly) by the relationships to the \$42B Federal complaint - HARIHAR v US BANK, et al, Docket No. 15-cv-11880 which (in part) involves evidenced RICO, Economic Espionage, RMBS securities fraud and most recently Liability Insurance - Breach of Contract (Errors and Omissions).

**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Through Discovery and the review of Court transcripts, the Plaintiff will supply fact-based documents that evidence unfair debt collection practices for a period of approximately 10 years, breach of contract and all other related claims (as listed in section II A) by Defendant - JDCU and their attorney, Defendant - Sandra Boulay, Esq. Litigation privilege of Attorney Boulay is considered waived, as transcripts will evidence the Defendant's intention to purposefully deceive the Court under Rule 60b. Breach of Contract claims are evidenced by the formal letter delivered via email on October 6, 2020 - Civil Counterclaims filed with the respective Liability/ Casualty Insurance Policy Carriers (Errors and Omissions) and ignored (See Attachment A). Overlapping legal issues with the related Federal litigation (Ex-Homestead, RMBS Securitization, etc) are similarly evidenced by the record.

**IV. Relief**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Due to the complexity (and totality) of legal issues involved - and in the interest of Judicial Economy, the Plaintiff seeks to retain legal counsel to assist with articulating all relief available. Based on the evidenced violations of record, damages available under the FDCPA are expected to include:(a) Actual damages under 15 U.S.C. § 1692k(a)(1);(b) Statutory damages under 15 U.S.C. § 1692k(a)(2);(c) Costs and reasonable attorney's fees under 15 U.S.C. § 1692k(a)(3). The Plaintiff shows cause for Punitive damages for the evidenced Breach of Contract - Liability/ Casualty Insurance Policy Carriers (Errors and Omissions). With regard to the severity legal issues that overlap with the related Federal litigation (Ref. HARIHAR v US BANK et al), the assistance of exp legal counsel

(Cont.) is also necessary to help determine the proportion of liability in the areas that are applicable - keeping in mind that the related litigation is a \$42B lawsuit. Aside from civil relief for damages, the Plaintiff seeks indictments brought by Federal Prosecutors for related criminal and professional violations of record. Criminal complaints are filed with the FBI, DOJ and MA Office of the Attorney General. The Plaintiff seeks Professional accountability against the Defendant - Sandra Boulay, Esq. and A BAR complaint has been filed w/ the MA Board of BAR Overseers. Finally, the Plaintiff seeks to re-open, remove and transfer to Federal Court the original MA State complaint brought by the Defendant-JDCU, as the Plaintiff has (in GOOD FAITH) proposed a legal remedy for the ~~removal of the original debt (Ref. ID: CLW-Mohan-A-Harihar-Docket No: 1011CV002008 Lowell District Court)~~

## V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12/23/2020

Signature of Plaintiff



Printed Name of Plaintiff

MOHAN A HARIHAR

### B. For Attorneys

Date of signing: \_\_\_\_\_

Signature of Attorney

TBD

Printed Name of Attorney

\_\_\_\_\_

Bar Number

\_\_\_\_\_

Name of Law Firm

\_\_\_\_\_

Street Address

\_\_\_\_\_

State and Zip Code

\_\_\_\_\_

Telephone Number

\_\_\_\_\_

E-mail Address